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5
6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 **UNITED STATES OF AMERICA,**)
9)
10 Plaintiff,) **CASE NO.: 2:24-mj-00953-DJA**
11)
12 vs.) **STIPULATION TO CONTINUE**
13) **BENCH TRIAL**
14) **(Second Request)**
15 **NOEL M. GARCIA, M.D.,**)
16)
17 Defendant.)
18)
19)
20)

21 IT IS HEREBY STIPULATED AND AGREED, by and between JASON FRIERSON,
22 United States Attorney; SKYLER H. PEARSON, Assistant United States Attorney, counsel for
23 the United States of America, and MICHAEL BECKER, counsel for defendant NOEL M.
24 GARCIA, that the Bench Trial currently scheduled for June 18, 2025, be vacated and set to a date
25 and time convenient to this court, excluding July 11-14 and July 22-23, as defendant has pre-
arranged travel plans.

26 This Stipulation is entered into for the following reasons:
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28 1. The parties need additional time to engage in negotiations for potential resolution
29 short of trial.

30 2. The Defendant is not detained pending trial and does not object to the continuance.

31 3. The parties agree to the continuance.

- 1 4. The additional time requested herein is not sought for purpose of delay, but rather
- 2 to allow the parties sufficient time to prepare for trial or alternatively negotiate a
- 3 potential resolution.
- 4 5. Counsel for defendant reached out to the government that he is currently engaged
- 5 in a first-degree felony murder trial in the matter of *State of Colorado v. Orest*
- 6 *Schur, Case No. 23CR2041* in the Adams County District Court.
- 7 6. The Trial is expected to end by June 18th, but counsel for defendant will likely still
- 8 be waiting for a verdict.
- 9 7. Moreover, counsel for defendant needs additional time as his focus and energies
- 10 were directed to the felony trial in Colorado.
- 11 8. Additionally, denial of this request for continuance could result in a miscarriage of
- 12 justice. The additional time requested by this Stipulation is excludable in computing
- 13 the time that the trial must commence pursuant to the Speedy Trial Act, Title 18,
- 14 United States Code Section 3161(h)(7)(A), and considering the factors under Title
- 15 18, United States Code, Section 3161(h)(7)(B)(i) and (iv).
- 16 9. This is the second request for continuance of the trial in this case.
- 17 10. Dr. Garcia has been advised, concurs with this request, and waives time, and asks
- 18 this Court to reset a date excluding July 11-14 and July 22-23, due to prearranged
- 19 travel plans.
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21 DATED this 10th day of June 2025.

23 Respectfully Submitted,

24 /s/ Michael L. Becker
25 MICHAEL BECKER
Attorney for Defendant

/s/ Skyler H. Pearson
SKYLER H. PEARSON
Assistant United States Attorney

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,
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Plaintiff,
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vs.
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)
NOEL M. GARCIA, M.D.,
)
)
Defendant.
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)

CASE NO.: 2:24-mj-00953-DJA

ORDER TO CONTINUE BENCH TRIAL

NOEL M. GARCIA, M.D.,
Defendant.

Based on the pending stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. The parties need additional time to prepare for trial or further engage in negotiations for a potential resolution.
2. Defendant is not detained pending trial and does not object to the continuance.
3. The parties agree to the continuance.
4. This continuance is not sought for purposes of delay.

5. Pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B)(i), denial of this request could result in a miscarriage of justice, and the ends of justice served by granting this request outweigh the best interest of the public and the defendant in a speedy trial.

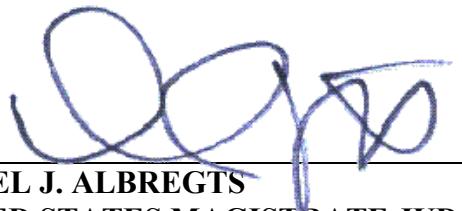
6. The additional time requested by this stipulation is excludable in computing the time within which the trial must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), and considering the factors under Title 18, United States Code, Section 3161(h)(7)(B)(i) and (iv).

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7. This is the second requested continuance.
For all the above-stated reasons, the ends of justice would best be served by a continuance
of the trial date.

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ORDER

IT IS HEREBY ORDERED that the bench trial in the above-captioned matter
currently scheduled for June 18, 2025, at the hour of 9 A.M. be vacated and continued to **August
27, 2025, at 9:00 a.m. in courtroom 3A.**

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DATED this 10th day of June 2025.

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DANIEL J. ALBREGTS
UNITED STATES MAGISTRATE JUDGE